IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWELFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR

AND
THE HON'BLE MR JUSTICE GHULAM MOHAMMED

WRIT PETITION No.21057 OF 1997

Between:

1. Rajahmundry Chemicals Industries Ltd. Rep. by its Managing

Director, MVS Papaji Rao, Rajahmundry, E.G. District.
R/o. Door No. 47-4-4, Gandhipuram, Block, Rajahmundry - 3,

E.G. District.

2. M.V.S. Papaji Rao S/o. Narasanna, R/o. Door No. 47-4-4,

Gandhipuram, Block, Rajahmundry - 3, E.G. District.

3. Smt. M. Lalitha W/o. MVS Papajirao, R/o. Door No. 47-4-4,

Gandhipuram, Block, Rajahmundry - 3, E.G. District.

4. M. Rajasekhar S/o. Papajirao, R/o. Door No. 47-4-4,

Gandhipuram, Block, Rajahmundry - 3, E.G. District.
Rep. by its GPA-holder Sri MVS Papajirao 2nd Petnr.

..... PETITIONERS

AND

1 The Union of India, Rep. by its Finance Secretary,
North Block, Central Secretariat, New Delhi - 110011.

2 The State Bank of Hyderabad Rep. by its Branch Manager,
Rajahmundry, E.G. District.

3 The Presiding Officer, Debts Recovery Tribunal,
Krishi Bhavan, Hudsom Circle, Nrupathunga Road,

Bangalore-560002.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an order, direction or Writ, more particularly one in the nature of Writ of Mandamus setting aside the enactment of Debts Recovery Act No.51 of 1993 as ultra vires the Constitution of India and for consequential relief of restraining the 3rd Respondent herein by staying further proceedings including pronouncement of Orders/Judgment in O.A.No.445 of 1997 on the file of the 3rd Respondent Tribunal and holding the same as invalid, illegal, unconstitutional as violative of Articles 14, 19 21, 300 & 246 (3) of the Constitution of India and violative of principles of natural justice.

Counsel for the Petitioners: MR.S.A.CHARI

Counsel for the Respondent No.1: MR.A.RAJASHEKAR REDDY

(ASST.SOLICITOR GEN.)

Counsel for the Respondent No.2: MR.Y.V.CHALAPATHY RAO

Counsel for the Respondent No.3: ----

The Court made the following :

O R D E R

(Per Sri Justice J.Chelameswar)

It is represented by the learned counsel for the petitioners that the subject matter of the writ petition has become infructuous, and therefore, the writ petition may be dismissed as infructuous.

Recording the statement of the learned counsel for the petitioners, the writ petition is dismissed as having become infructuous. No costs.

JUSTICE J.CHELAMESWAR

JUSTICE GHULAM MOHAMMED

12th APRIL, 2005

PGS

To

1 The Finance Secretary, Union of India,
North Block, Central Secretariat, New Delhi - 110011.

2 The Branch Manager, State Bank of Hyderabad,
Rajahmundry, E.G. District.

3 Presiding Officer, Debts Recovery Tribunal,
Krishi Bhavan, Hudsom Circle, Nrupathunga Road,

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THE HON'BLE MR JUSTICE J.CHELAMESWAR

AND
THE HON'BLE MR JUSTICE GHULAM MOHAMMED

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WRIT PETITION NO : 21057 of 1997

(Per Sri Justice J.Chelameswar)

12th APRIL, 2005